REMARKS/ARGUMENTS

Claims 1 to 7, 13 to 25, 35 and 36 are pending. Claims 8 to 12 and 26 to 34 have been cancelled. Claims 13 to 19 have been withdrawn. Claim 35 is new and is supported by page 5, lines 32 and 33, and page 6, lines 3 and 5 to 10. Claim 36 is new and finds support in original Claim 10.

The Office Action stated that restriction is required under 35. U.S.C. 121 and 372.

The Office Action stated: that this application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1; and that, in accordance with 37 CFR 1.499, applicants are required, in reply to this action, to elect a single invention to which the claims must be restricted:

Group I, Claims 1 to 7 and 20 to 25, drawn to a thermoformed diaphragm.

Group II, Claims 8 to 12 and 26 to 30, drawn to a casting solution.

Group III, Claims 13, 31 and 32, drawn to a process for making a thermoformed diaphragm.

Group IV, Claims 14 to 19, 33 and 34, drawn to a process for producing cast polyarylate films.

Applicants elect with traverse the invention of Group I, that covers Claims 1 to 7 and 20 to 25 plus new Claims 35 and 36.

The Office Action stated that the inventions listed as Groups I to IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for

the following reasons: The common technical feature in the groups is the cast polyarylate film made from the polyarylate of formula I. This cannot be a special technical feature as it is shown in the prior art. U.S. Patent No. 4,746,472 to Kohn teaches a cast (2:19 to 24) polyarylate film of the formula.

The Office Action stated that the applicants are advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 C.F.R. 1.143) and (ii) identification of the claims encompassing the elected invention.

If applicants have been required to select a species, applicants select with traverse the dyes and polyols in new Claim 36. Such dyes and polyols are additives (see page 10, first paragraph, page 3, first paragraph, and page 7, third paragraph). The Examiner is requested to clarify if he actually required selection of a species.

The Office Action stated: that the election of an invention or species may be made with or without traverse; that, to preserve a right to petition, the election must be made with traverse; and that, if the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

The Office Action stated: that in the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be full examined for patentability in accordance with 37 C.F.R 1.104; that, thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of

35 U.S.C. 101, 102, 103 and 112; that, until all claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained; that withdrawn process claims that are not commensurate in scope with an allowable product claim will be not be rejoined; that, additionally, in order to retain the right to rejoinder in accordance with the above policy, applicants are advised that the process claims should be amended during prosecution to require the limitations of the product claims; that failure to do so may result in a loss of the right to rejoinder; and that, further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the Examiner before the patent issues. See MPEP §804.01.

Allowance of the claims re requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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